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Attorneys for Defendant / Third-Party Plaintiff, WESTCHESTER
 SURPLUS LINES INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORHTERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

SIERRA BAY CONTRACTORS, INC., A California Corporation,)	CASE NO.: 3:10-cv-04611-RS
Plaintiff,)	
vs.)	STIPULATION AND PROPOSED
)	ORDER FOR DISMISSAL OF OLD
)	REPUBLIC GENERAL INSURANCE
)	CORPORATION AND VIRGINIA
)	SURETY COMPANY, INC.
WESTCHESTER SURPLUS LINES INSURANCE COMPANY, a Georgia corporation, and DOES 1 through 50, inclusive,)	
Defendants.)	
_____)	
AND RELATED CROSS-ACTIONS)	
_____)	

Pursuant to F.R.C.P. 41, Defendant and Third-Party Plaintiff, Westchester Surplus Lines Insurance Company (“Westchester”), and Third-Party Defendants, Old Republic General Insurance Corporation (“Old Republic”) and Virginia Surety Company, Inc. (“Virginia Surety”), have agreed and hereby stipulate to the dismissal of Old Republic and Virginia Surety from Westchester’s First Amended Third-Party Complaint, with prejudice, subject to said parties’ mutual waiver of costs. Said parties request the Court’s approval and execution of the below

proposed order for dismissal.

IT IS SO STIPULATED.

DATE: December 28, 2012

BRANSON, BRINKOP, GRIFFITH & STRONG,
LLP

By: /s/ Michele O. Blaise
MICHELE O. BLAISE
Attorneys for Third-Party Defendants,
OLD REPUBLIC GENERAL INSURANCE
CORPORATION and VIRGINIA SURETY
COMPANY, INC.

DATE: December 28, 2012

MORALES, FIERRO & REEVES


By: /s/ David Astengo
DAVID A. ASTENGO
Attorneys for Defendant and Third-Party
Plaintiff, WESTCHESTER SURPLUS LINES
INSURANCE COMPANY

~~PROPOSED~~ ORDER OF PARTIAL DISMISSAL

Having reviewed the above stipulation, the Court orders that Defendant and Third-Party Plaintiff, Westchester Surplus Lines Insurance Company's, First Amended Third-Party Complaint against Third-Party Defendants, Old Republic General Insurance Corporation and Virginia Surety Company, Inc., be dismissed, with prejudice. The remainder of Westchester Surplus Lines Insurance Company's First Amended Third-Party Complaint shall not be changed or impacted by this Order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 12/31/12


HONORABLE RICHARD J. EUBORG
United States District Court
Northern District of California